

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 15-57959

DAVID SALAZAR, SR., and  
LAURA A. SALAZAR,

Chapter 13

Judge Thomas J. Tucker

Debtors.

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**ORDER REQUIRING DEBTOR LAURA A. SALAZAR AND/OR THE PERSONAL  
REPRESENTATIVE OF THE ESTATE OF DAVID SALAZAR, SR. TO SHOW CAUSE  
IN WRITING WHY THIS CASE SHOULD NOT BE DISMISSED AS TO DEBTOR  
DAVID SALAZAR, SR. ONLY, DUE TO HIS DEATH**

Last week, the Court was informed that the Debtor David Salazar, Sr. died on April 14, 2020. (*See* “Motion to Excuse the Requirements that Debtor-Husband File Official Form 423 and the Certification Regarding Domestic Support Obligations” (Docket # 74) at ¶ 3.) Fed. R. Bankr. P. 1016 provides:

Death or incompetency of the debtor shall not abate a liquidation case under chapter 7 of the Code. In such event the estate shall be administered and the case concluded in the same manner, so far as possible, as though the death or incompetency had not occurred. If a reorganization, family farmer's debt adjustment, or individual's debt adjustment case is pending under chapter 11, chapter 12, or chapter 13, the case may be dismissed; or if further administration is possible and in the best interest of the parties, the case may proceed and be concluded in the same manner, so far as possible, as though the death or incompetency had not occurred.

Accordingly,

IT IS ORDERED that no later than February 2, 2021, the Debtor Laura A. Salazar, and/or the personal representative of the deceased Debtor David Salazar, Sr., must show cause in writing why the Court should not dismiss this case as to Debtor David Salazar, Sr., only, under Fed. R. Bankr. P. 1016, due to his death. Such a dismissal would leave the case of the joint

debtor, Laura A. Salazar, pending.

**Signed on January 19, 2021**



**/s/ Thomas J. Tucker**

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**Thomas J. Tucker  
United States Bankruptcy Judge**